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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

10 RICKY ALLEN FREENY,
11 Petitioner
12 v.
13 DANNY SAMUEL,
14 Respondent

No. 2:22-cv-00170-TLN-DB

ORDER

16 Petitioner, a state prisoner proceeding through counsel, filed a petition for a writ of habeas
17 corpus pursuant to 28 U.S.C. § 2254. The matter was referred to a United States Magistrate
18 Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

19 On July 28, 2022, the magistrate judge filed findings and recommendations herein which
20 were served on all parties and which contained notice to all parties that any objections to the
21 findings and recommendations were to be filed within fourteen days. (ECF No. 14.) Neither
22 party filed objections to the findings and recommendations.

23 The Court presumes that any findings of fact are correct. *See Orand v. United States*, 602
24 F.2d 207, 208 (9th Cir. 1979). The magistrate judge's conclusions of law are reviewed de novo.
25 *See Britt v. Simi Valley Unified School Dist.*, 708 F.2d 452, 454 (9th Cir. 1983). The Court has
26 reviewed the file and finds the findings and recommendations to be supported by the record and
27 by the magistrate judge's analysis.

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1 Accordingly, IT IS HEREBY ORDERED that:

2 1. The Findings and Recommendations filed July 28, 2022 (ECF No. 14) are ADOPTED
3 in full; and
4 2. Petitioner's Motion for Stay (ECF No. 2) is GRANTED.

5 **DATED: September 21, 2022**



6
7 Troy L. Nunley
8 United States District Judge

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